

**U.S. Environmental Protection Agency, Region 6**  
**Enforcement Actions Closed or Concluded in the State of Louisiana for the 2nd Quarter of Fiscal Year 1998**  
**(January 1998 - March 1998)**

#	State	Statute	Facility Name	Date Final	Type of Action <sup>1</sup>	Penalty Amount <sup>2</sup>	SEP <sup>3</sup>
1	LA	RCRA	ACADIAN SHIPYARD, INC.	3/13/98	A.P.O.	\$20,680	
2	LA	CAA 110	AIR PRODUCTS AND CHEMICALS, INC.	3/26/98	A.P.O.	\$24,000	
3	LA	CWA 301	AMITE, TOWN OF	2/10/98	A.O.		
4	LA	CAA 112	ANGUS CHEMICAL COMPANY	3/31/98	A.P.O.	\$15,000	
5	LA	RCRA	BARNETT MARINE SERVICES	3/11/98	A.P.O.	\$7,200	\$468,000
6	LA	CAA	BROUSSARD'S SERVICE CENTER, INC.	3/20/98	A.O.		
7	LA	CWA 301	CLINTON, TOWN OF	3/03/98	A.O.		
8	LA	CWA 301	CNG PRODUCING COMPANY	3/31/98	A.P.O.	\$137,500	
9	LA	CWA 301	COTTON VALLEY, TOWN	2/18/98	A.O.		
10	LA	CAA 112 CWA 301	DUPONT DOW ELASTOMERS	3/05/98	A.P.O.	\$113,500	
11	LA	CWA 301	EAST BATON ROUGE, CITY/PARISH OF	1/30/98	A.O.		
12	LA	CWA 301	EAST BATON ROUGE, CITY/PARISH OF	1/30/98	A.O.		
13	LA	CWA 301	EAST BATON ROUGE, CITY/PARISH OF	1/30/98	A.O.		
14	LA	RCRA	GEO SHIPYARD, INC.	3/30/98	A.P.O.	\$14,850	
15	LA	CWA 301	GRAND COTEAU, TOWN OF	3/03/98	A.O.		
16	LA	CWA 301	INDEPENDENCE, LOUISIANA, TOWN OF	1/30/98	A.O.		
17	LA	CWA 301	INTERNATIONAL PAPER CORPORATION	2/17/98	A.O.		
18	LA	CAA	MACARTHUR DRIVE SERVICE CENTER	3/20/98	A.O.		
19	LA	RCRA	MAIN IRON WORKS, INC	3/11/98	A.P.O.	\$23,923	
20	LA	RCRA	MARINE INDUSTRIAL FABRICATION	3/31/98	A.P.O.	\$24,530	
21	LA	RCRA CWA 301	M-I DRILLING FLUIDS L.L.C.	3/31/98	A.P.O.	\$28,445	
22	LA	CAA	OLIN CHEMICALS/ARCO CHEMICALS	2/02/98	C.J.	\$150,000	
23	LA	CWA 301	PINEVILLE, CITY OF	2/17/98	A.O.		

#	State	Statute	Facility Name	Date Final	Type of Action <sup>1</sup>	Penalty Amount <sup>2</sup>	SEP <sup>3</sup>
24	LA	RCRA	RED FOX COMPANIES OF NEW IBERIA	3/31/98	A.P.O.	\$36,300	
25	LA	CERCLA 103	SHELL CHEMICAL COMPANY	2/27/98	A.P.O.	\$2,500	\$10,500
26	LA	CWA 301	SICILY ISLAND, THE VILLAGE OF	2/23/98	A.O.		
27	LA	CWA 301	TCHEFUNCTA CLUB ESTATES, INC	2/18/98	A.O.		
28	LA	CAA	THALMES RACINE, D/B/A RACINE AUTO REPAIR	3/17/98	A.O.		
29	LA	CWA 301	UNIROYAL CHEMICAL COMPANY, INC.	2/17/98	A.O.		
30	LA	CWA 301	VIDALIA, CITY OF	2/17/98	A.O.		
31	LA	CWA 301	WESTLAKE POLYMERS CORPORATION	2/10/98	A.O.		
32	LA	CWA 301	316 INC.	1/13/98	A.O.		
33	LA	RCRA	4-D CORROSION CONTROL SPECIALIST	3/20/98	A.P.O.	\$21,900	\$160,000

1. AO = Administrative Order closed after compliance with the requirements of the order, CACO = Consent Agreement and Order requiring compliance with environmental regulations and/or assessing a penalty, C.J. = Civil Judicial Case referred to the Department of Justice

2. Penalty amount reflected in this column is a final/agreed amount.

3. SEP = Supplemental Environmental Project

## **Narrative Summary:**

- 1. ACADIAN SHIPYARD, INC.:** On March 13 a Complaint and CACO were simultaneously filed, for violations discovered during a Resource Conservation Recovery Act compliance evaluation inspection. The violations are for general generator requirements of the RCRA Act. The facility was storing hazardous waste for less than 90 days without meeting the permit exemption requirements. The facility also had containers which were not labeled and dated and containers which were open. A penalty of \$20,680 is proposed.
- 2. AIR PRODUCTS AND CHEMICALS, INC., :** On March 26 Region 6 issued a Final Order to Air Products and Chemicals, Inc., settling an administrative case in the amount of \$24,000 for SIP violations of the Clean Air Act observed during an inspection conducted on August 14, 1997. The EPA inspector found 4 open-ended valves and observed approximately 1/4 liter of ethanol being discharged from a pump used to off-load ethanol from tank trucks.
- 5. BARNETT MARINE SERVICE, INC:** A Complaint, Compliance Order, and Notice of Opportunity for Hearing was filed against Barnett Marine Service, Inc., of Belle Chasse, Louisiana on December 30, 1997. A Compliance Evaluation Inspection was conducted December 20, 1996 which resulted in four RCRA counts against Barnett, i.e., failure to meet storage requirements, failure to make a hazardous waste determination, and failure to submit a notification of hazardous waste activity. The final penalty assessed is \$7,200 with additional Supplemental Environmental Projects included.
- 10. DUPONT DOW ELASTOMERS:** On March 5 a Consent Agreement and Consent Order was filed for violations observed during a multi-media inspection conducted in June 1997. Dupont Dow agreed to pay a \$113,500 penalty for violations to Clean Water Act and Clean Air Act regulations.
- 14. GEO SHIPYARD, INC.:** A Complaint and CACO were simultaneously filed, for violations discovered during a Resource Conservation Recovery Act compliance evaluation inspection. The violations are for general generator requirements of the RCRA Act. The facility was storing hazardous waste for less than 90 days without meeting the permit exemption requirements. The facility was also using a temporary identification number and had failed to complete an annual report as required by the State. The facility has agreed to a penalty of \$14,850. As part of the facility's compliance efforts, they have reduced the amount of hazardous waste the facility generates and have received a permanent identification number.
- 19. MAIN IRON WORKS, INC:** On March 11, 1998, a Complaint and Consent Agreement and Consent Order (CACO) were simultaneously filed, settling an administrative case against Main Iron Works, Inc. The Complaint alleged RCRA violations stemming from: 1) Respondent's failure to make a hazardous waste determination for solid waste being stored on-site; 2) failure to submit a notification of hazardous waste activity; 3) failure to meet Small Quantity Generator requirements by failing to label and date hazardous waste containers, failing to keep hazardous waste containers closed, failing to store hazardous containers within secondary containment, and failing to maintain personnel training records to show that employees had been trained in hazardous waste management practices; and 4) treatment of hazardous waste on-site without a permit. A \$232,923 penalty was agreed upon by the Respondent to settle the case.
- 20. MARINE INDUSTRIAL FABRICATION:** On the 31st day of March, 1998, a Complaint and Consent Agreement and Consent Order (CACO) were simultaneously filed, settling an administrative case against Marine Industrial Fabrication (Respondent). The Complaint alleged RCRA violations stemming from: 1) failure to make a hazardous waste determination; 2) failure to meet permit exemption requirements for generators; 3) failure to properly label used oil containers; and 4) failure to prepare and implement an adequate Spill Prevention Control and Countermeasure Plan. A \$24,530 penalty was agreed upon by the Respondent to settle the case.

**21. M-I DRILLING FLUIDS L.L.C.:** On March 9, 1998, Region 6 reached an agreement with M-I L.L.C. for payment of a combined civil penalty of \$51,273 to resolve two December, 1997 multi-media actions alleging NPDES storm water permitting violations and RCRA hazardous waste storage violations at facilities in Hobbs, New Mexico and Port of Fourchon, Louisiana.

**22. OLIN CHEMICAL CORPORATION, LAKE CHARLES, LA:** On March 31, 1997, Region 6 requested that the U.S. Department of Justice (DOJ) initiate a civil enforcement action for violations of the New Source Performance Standards (NSPS) and Hazardous Organic National Emission Standards for Hazardous Air Pollutants ( NESHAPs). The Region and DOJ met with Olin on June 17, 1997. After several negotiation sessions, a settlement in principle was reached on June 23, 1997, where Olin will pay a civil penalty of \$150,000 (no injunctive relief is necessary). On February 2, 1998, a Joint Stipulation and Motion for Dismissal was entered at the Western District Court of Louisiana, and payment of the penalty must be made by March 2.

**24. RED FOX COMPANIES OF NEW IBERIA:** A complaint and consent order/compliance order was filed against Red Fox Companies of New Iberia on March 27, 1998. A compliance evaluation inspection was performed at the facility in August 1997. Violations of the Resource Conservation Recovery Act were noted during this inspection. The facility had failed to meet the exemption requirements for less than 90 day storage of hazardous waste without a permit. Numerous drums of hazardous waste were being stored in a manner that presented potential harm to the environment and human health. The facility has agreed to a penalty of \$36,300. As part of the facility's compliance efforts, they have reduced the amount of hazardous waste the facility generates and provided documentation of proper disposal of hazardous wastes which were stored at the site.

**29. UNIVERSAL FABRICATORS:** A complaint was filed against Universal Fabricators on March 31, 1998. A compliance evaluation inspection was performed at the facility in August 1997. Violations of the Resource Conservation Recovery Act were noted during the inspection. The facility had failed to meet the exemption requirements for less than 90 day storage of hazardous waste without a permit. The facility has agreed to a penalty of \$9,460. As part of the facility's compliance efforts, they have reduced the amount of hazardous waste the facility and instituted measures to ensure that the exemption requirements are met.

**33. 4-D CORROSION CONTROL SPECIALISTS, INC.:** A Complaint and Consent Agreement and Consent Order (CACO) was simultaneously filed on March 20, 1998, settling an administrative case against 4-D Corrosion Control Specialists (Respondent). The Complaint alleged RCRA violations stemming from Respondent's failure to make an adequate hazardous waste determination and storage of hazardous waste in excess of 90 days without a permit or interim status. A settlement was agreed upon which includes a \$21,900 cash penalty and a Supplemental Environmental Project (SEP) of \$160,000 which involves process changes at the facility which are designed to reduce the release of volatile organic compounds and particulate emissions from the facility.